

भारत सरकार
जनजातीय कार्य मंत्रालय
लोकसभा
अतारांकित प्रश्न संख्या 2023
उत्तर देने की तारीख 31.07.2025

जनजातीय कार्य मंत्रालय के गठन के उद्देश्य

2023. डॉ. मन्ना लाल रावत:

क्या जनजातीय कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) जनजातीय कार्य मंत्रालय के गठन का उद्देश्य क्या है;

(ख) 1999 में जनजातीय कार्य मंत्रालय के गठन से पूर्व जनजातीय विकास संबंधी गतिविधियों के पर्यवेक्षण और कार्यान्वयन के लिए उत्तरदायी मंत्रालय, विभाग या प्राधिकरण कौन सा था;

(ग) 1999 में जनजातीय कार्य मंत्रालय के गठन के संबंध में आदेश की प्रति दीजिये;

(घ) क्या राष्ट्रीय अनुसूचित जनजाति आयोग स्वतंत्र रूप से कार्य कर रहा है या जनजातीय कार्य मंत्रालय के प्रशासनिक नियंत्रण में है और यदि हाँ, तो तत्संबंधी ब्यौरा क्या है; और

(ङ) उक्त आयोग के गठन के संबंध में आदेशों की प्रति दीजिये?

उत्तर

जनजातीय कार्य राज्यमंत्री

(श्री दुर्गादास उइके)

(क), (ख) और (ग): भारत सरकार (कार्य आवंटन) नियम, 1961 (संशोधन श्रृंखला संख्या 382, दिनांक 3 जुलाई, 2025 तक संशोधित) के अनुसार, जनजातीय कार्य मंत्रालय को सौंपा गया अधिदेश **अनुलग्नक-क** में दिया गया है। 1999 में जनजातीय कार्य मंत्रालय के गठन से पहले, जनजातीय विकास संबंधी गतिविधियों के पर्यवेक्षण और कार्यान्वयन का दायित्व सामाजिक न्याय एवं अधिकारिता मंत्रालय के पास था। जनजातीय कार्य मंत्रालय के गठन से संबंधित भारत सरकार (कार्य आवंटन) नियम, 1961 के 243वें संशोधन के प्रासंगिक उद्धरण **अनुलग्नक-ख** में दिए गए हैं।

(घ) और (ङ): राष्ट्रीय अनुसूचित जनजाति आयोग (एनसीएसटी) भारत के संविधान के अनुच्छेद 338क के तहत गठित एक संवैधानिक निकाय है। अनुच्छेद 338क (4) के अनुसार आयोग को अपनी प्रक्रिया को विनियमित करने की शक्ति होगी। संविधान (89वां संशोधन) अधिनियम, 2003 की प्रति **अनुलग्नक-ग** के रूप में दी गई है।

दिनांक 31.07.2025 के लोक सभा अतारांकित प्रश्न संख्या 2023 के भाग (क) से (ग) के उत्तर में संदर्भित अनुलग्नक

अनुलग्नक-क

जनजातीय कार्य मंत्रालय का अधिदेश

1. अनुसूचित जनजातियों के संबंध में सामाजिक सुरक्षा और सामाजिक बीमा।
 2. जनजातीय कल्याण: जनजातीय कल्याण योजना, परियोजना निर्माण, अनुसंधान, मूल्यांकन, सांख्यिकी और प्रशिक्षण।
 3. जनजातीय कल्याण पर स्वैच्छिक प्रयासों का संवर्धन और विकास।
 4. अनुसूचित जनजातियाँ, जिनमें ऐसी जनजातियों से संबंधित छात्रों को छात्रवृत्ति भी शामिल है।
 5. अनुसूचित जनजातियों का विकास।
- 5क. वन भूमि पर वन में रहने वाली अनुसूचित जनजातियों के अधिकारों से संबंधित कानून सहित सभी मामले।
- नोट: जनजातीय कार्य मंत्रालय, अनुसूचित जनजातियों के विकास कार्यक्रमों की समग्र नीति, योजना और समन्वय हेतु नोडल मंत्रालय होगा। इन समुदायों के विकास के क्षेत्रीय कार्यक्रमों और योजनाओं के संबंध में नीति, योजना, निगरानी, मूल्यांकन आदि तथा उनका समन्वय संबंधित केंद्रीय मंत्रालयों/विभागों, राज्य सरकारों और संघ राज्य क्षेत्रों के प्रशासनों की ज़िम्मेदारी होगी। प्रत्येक केंद्रीय मंत्रालय/विभाग अपने क्षेत्र के लिए नोडल मंत्रालय या विभाग होगा।
6. (क) अनुसूचित क्षेत्र;
(ख) अनुसूचित क्षेत्रों के लिए राज्यों के राज्यपालों द्वारा बनाए गए विनियम।
 7. (क) अनुसूचित क्षेत्रों के प्रशासन और अनुसूचित जनजातियों के कल्याण पर रिपोर्ट देने के लिए आयोग; और
(ख) किसी राज्य में अनुसूचित जनजातियों के कल्याण के लिए आवश्यक योजनाओं की रूपरेखा तैयार करने और उनके क्रियान्वयन के संबंध में निर्देश जारी करना।
 8. राष्ट्रीय अनुसूचित जनजाति आयोग।
 9. अनुसूचित जनजातियों से संबंधित अपराधों के संबंध में आपराधिक न्याय के प्रशासन को छोड़कर नागरिक अधिकार संरक्षण अधिनियम, 1955 (1955 का 22) और अनुसूचित जाति एवं अनुसूचित जनजाति (अत्याचार निवारण) अधिनियम, 1989 (1989 का 33) का कार्यान्वयन।
 10. नीति आयोग द्वारा तैयार ढांचे और तंत्र के आधार पर जनजातीय उप-योजना की निगरानी।

(II) प्रविष्टि 27 और 28 का लोप किया जाएगा ।' ।

(क क) 'इलेक्ट्रॉनिकी विभाग' शीर्ष और तद्धीन प्रविष्टियों का लोप किया जाएगा;

(ख ख) 'योजना आयोग' शीर्ष के अधीन, प्रविष्टि '10. राष्ट्रीय सूचना विज्ञान केन्द्र,' का लोप किया जाएगा ।' ।

के० आर० नारायणन
राष्ट्रपति ।

[फा. सं. 1/22/1/99-मंत्रि.]
बी० के० गाबा, उप सचिव

CABINET SECRETARIAT

NOTIFICATION

New Delhi, the 15th October, 1999

S.O. 1036(E).— In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:—

1. (1) These rules may be called the Government of India (Allocation of Business) (Two hundred and Forty - third Amendment) Rules, 1999.

(2) They shall come into force at once.

2. In the Government of India (Allocation of Business) Rules, 1961,—

(1) in the First Schedule,—

(a) under the heading "1. Ministry of Agriculture (Krishi Mantralaya)", after sub-heading "(iii) Department of Animal Husbandry and Dairying (Pashupalan aur Dairy Vibhag), the following sub-heading shall be added, namely:—

"(iv) Department of Food Processing Industries (Khadya Prasanskaran Udyog Vibhag)";

VI. PUBLIC SECTOR UNDERTAKINGS:

17. Indian Road Construction Corporation.

VII. ACTS:

18. The Road Transport Corporations Act, 1950 (64 of 1950).

19. The National Highway Act, 1956 (48 of 1956).

20. The Motor Vehicles Act, 1988 (59 of 1988).

21. The National Highways Authority of India Act, 1988 (68 of 1988).

22. The Multimodal Transportation of Goods Act, 1993 (28 of 1993).";

(w) after the heading "MINISTRY OF TOURISM (PARYATAN MANTRALAYA)", and the entries thereunder, the following heading and the entries relating thereto shall be inserted, namely :-

"MINISTRY OF TRIBAL AFFAIRS (JANJATIYA KARYA VIBHAG)

1. Social security and social insurance with respect to the Scheduled Tribes.
2. Tribal Welfare : Tribal welfare planning, project formulation, research, evaluation, statistics and training.
3. Promotion and development of voluntary efforts on tribal welfare.
4. Scheduled Tribes, including scholarship to students belonging to such tribes.
5. Development of Scheduled Tribes.
6. Attached or Subordinate offices or other organisations concerned with any of the subjects specified in this list.

NOTE: The Ministry of Tribal Affairs shall be the nodal Ministry for overall policy, planning and coordination of programmes of development for the Scheduled Tribes. In regard to sectoral programmes and schemes of development of these communities policy, planning, monitoring, evaluation etc. as also their coordination will be

the responsibility of the concerned Central Ministries/Departments, State Governments and Union Territory Administrations. Each Central Ministry/Department will be the nodal Ministry or Department concerning its sector.

7. (i) Scheduled Areas;

(ii) Matters relating to autonomous districts of Assam excluding roads and bridge works and ferries thereon; and

(iii) Regulations framed by the Governors of States for Scheduled Areas and for Tribal Areas specified in Part 'A' of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution.

8. (i) Commission to report on the administration of Scheduled Areas and the welfare of the Scheduled Tribes; and

(ii) Issue of directions regarding the drawing up and execution of schemes essential for the welfare of the Scheduled Tribes in any State.

9. Reports of the National Commission for Scheduled Castes and Scheduled Tribes in so far as they relate to Scheduled Tribes.

(x) under the heading "MINISTRY OF URBAN DEVELOPMENT)", for the entries 1 to 38, the following entries shall be substituted, namely:-

1. Properties of the Union, whether lands or buildings, with the following exceptions :-

(i) Those belonging to the Ministry of Defence (Raksha Mantralaya) the Ministry of Railways (Rail Mantralaya) and the Department of Atomic Energy (Parmanu Oorja Vibhag) and the Department of Space (Antariksh Vibhag).

(ii) Buildings or lands, the construction or acquisition of which has been financed otherwise than from the Civil Works Budget; and

(iii) Buildings or lands, the control of which has at the time of construction or acquisition or subsequently been permanently made over to other Ministries and Departments.

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PART II-Section 1

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 30th September, 2003/Asvina 8, 1925 (Saka)

The following Act of Parliament received the assent of the President on the 28th September, 2003, and is hereby published for general information:-

THE CONSTITUTION (EIGHTY-NINTH AMENDMENT) ACT, 2003

[28th September, 2003]

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:-

- | | |
|--|------------------------------|
| 1.(1) This Act may be called the Constitution (Eighty-ninth Amendment) Act, 2003. | Short title and Commencement |
| (2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint. | |
| 2. In article 338 of the Constitution-- | Amendment of article 338 |
| (a) for the marginal heading, the following marginal heading shall be substituted namely:- | |
| “National Commission for Scheduled Castes”, | |

(b) for clause (1) and (2), the following clauses shall be substituted, namely:-

(1) There shall be a Commission for the Scheduled castes to be known as the National Commission for Scheduled Castes.

(2) Subject to the provisions of any law made in this behalf by Parliament the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.:

(c) in-clauses (5) and (10), the words “and Scheduled Tribes” where they occur shall be omitted.

Insertion of New Article 338A. (3). After Article 338 of the Constitution, the following article shall be inserted namely:-

National Commission for Scheduled Tribes “338 A (1) There shall be a Commission for the Scheduled tribes to be known as the National Commission for the Scheduled Tribes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other members so appointed shall be such as the President may by rule determine.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure

(5) It shall be the duty of the Commission----

(a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled tribes;

(c) to participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

(e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled tribes; and

(f) to discharge such other functions insulation to the protection, welfare and development and advancement of the Scheduled tribes as the President may, subject to the provisions of any law made by Parliament by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament alongwith a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5) have all the powers of a civil court trying a suit and in particular in respect of the following manners namely:-

- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and documents;
- (f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes.”

SUBHASH C. JAIN
Secy to the Govt. of India